

**Subpart E—Surface Bathing Facilities, Change Rooms, and Sanitary Flush Toilet Facilities at Surface Coal Mines**

- 71.400 Bathing facilities; change rooms; sanitary flush toilet facilities.
- 71.401 Location of facilities.
- 71.402 Minimum requirements for bathing facilities, change rooms, and sanitary flush toilet facilities.
- 71.403 Waiver of surface facilities requirements; posting of waiver.
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**Subpart F—Sanitary Toilet Facilities at Surface Worksites of Surface Coal Mines**

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**Subpart G—Drinking Water**

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**Subpart H—Airborne Contaminants**

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AUTHORITY: 30 U.S.C. 811, 951, 957, 961.

SOURCE: 37 FR 6368, Mar. 28, 1972, unless otherwise noted.

**Subpart A—General**

AUTHORITY: Secs. 101 and 103(h), Federal Mine Safety and Health Act of 1977, Pub. L. 91-173 as amended by Pub. L. 95-164, 91 Stat. 1291 and 1299 (30 U.S.C. 811 and 813(h)).

SOURCE: 45 FR 80756, Dec. 5, 1980, unless otherwise noted.

**§ 71.1 Scope.**

This part 71 sets forth mandatory health standards for each surface coal mine and for the surface work areas of each underground coal mine subject to the Federal Mine Safety and Health Act of 1977.

**§ 71.2 Definitions.**

For the purpose of this part 71, the term:

(a) *Act* means the Federal Mine Safety and Health Act of 1977, Pub. L. 91-173, as amended by Pub. L. 95-164.

(b) *Active workings* means any place in a surface coal mine or the surface work area of an underground coal mine where miners are normally required to work or travel.

(c) *Certified person* means an individual certified by the Secretary in accordance with § 71.202 (Certified person; sampling) to take respirable dust samples required by this part or certified in accordance with § 71.203 (Certified person; maintenance and calibration) to perform the maintenance and calibration of respirable dust sampling equipment as required by this part.

(d) *Concentration* means a measure of the amount of a substance contained per unit volume of air.

(e) *Designated work position* means a work position designated under § 71.208 (Bimonthly sampling; designated work positions).

(f) *District Manager* means the manager of the Coal Mine Safety and Health District in which the mine is located.

(g) *MRE instrument* means the gravimetric dust sampler with a four channel horizontal elutriator developed by the Mining Research Establishment of the National Coal Board, London, England.

(h) *MSHA* means the Mine Safety and Health Administration of the Department of Labor.

(i) *Normal work shift* means (1) a shift during which the regular duties of the designated work position are performed while routine day-to-day mining activities are occurring in the rest of the mine and (2) a shift during which there is no rain, or, if rain occurs, the rain does not suppress the respirable dust to the extent that sampling results will be measurably lower, in the judgment